

Community Development Department

P.O. Box 970 ▪ 414 E First Street ▪ Newberg, Oregon 97132
503-537-1240 ▪ Fax 503-537-1272 ▪ www.newbergoregon.gov

NOTICE OF DECISION

Veritas School Covered Playground – Design Review – DR219-0002

November 4, 2019

Drew Ackerlund
Veritas School
26288 NE Bell Rd.
Newberg, OR 97132

Dear Mr. Ackerlund,

The Newberg Community Development Director has approved the proposed design review DR219-0002 for a covered playground on the Veritas School site located at 1230 NE Bell Road (tax lot 3208 2702), subject to the conditions listed in the attached report. The decision will become effective on November 19, 2019 unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. Anyone wishing to appeal must submit the written appeal form together with the required fee of \$528.15 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on November 18, 2019.

At the conclusion of the appeal period, please remove all notices from the site.

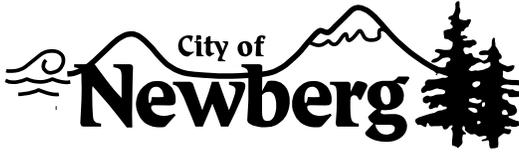
Design review approval is only valid for one year from the effective date above. If building or construction permits are not issued within this time period, then design review approval becomes null and void and no construction may take place. If design review approval on your project is approaching its expiration date, contact the Planning Division regarding extension opportunities.

Please note that final building plans submitted for building permit review must comply with the attached conditions. You must comply with all conditions required through the design review process before final occupancy will be granted.

If you have any questions, please contact me at 503-554-7744 or cheryl.caines@newbergoregon.gov.

Sincerely,

Cheryl Caines, Senior Planner



Community Development Department

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DECISION AND FINDINGS

Veritas School Covered Playground – Design Review – DR219-0002

FILE NO: DR219-0002

REQUEST: Design review approval for a covered playground of approximately 3,600 square feet.

LOCATION: 1230 NE Bell Road (formerly addressed as 26288 NE Bell Road)

TAX LOT: R3208-02702

APPLICANT: Veritas School

OWNER: Veritas School

ZONE: R-1 (Low Density Residential)

OVERLAYS: SC – Stream Corridor Overlay (SC)

CONTENTS

Section I: Application Information

Section II: Findings

Section III: Conditions

Attachments:

1. Site Plan
2. Application by reference

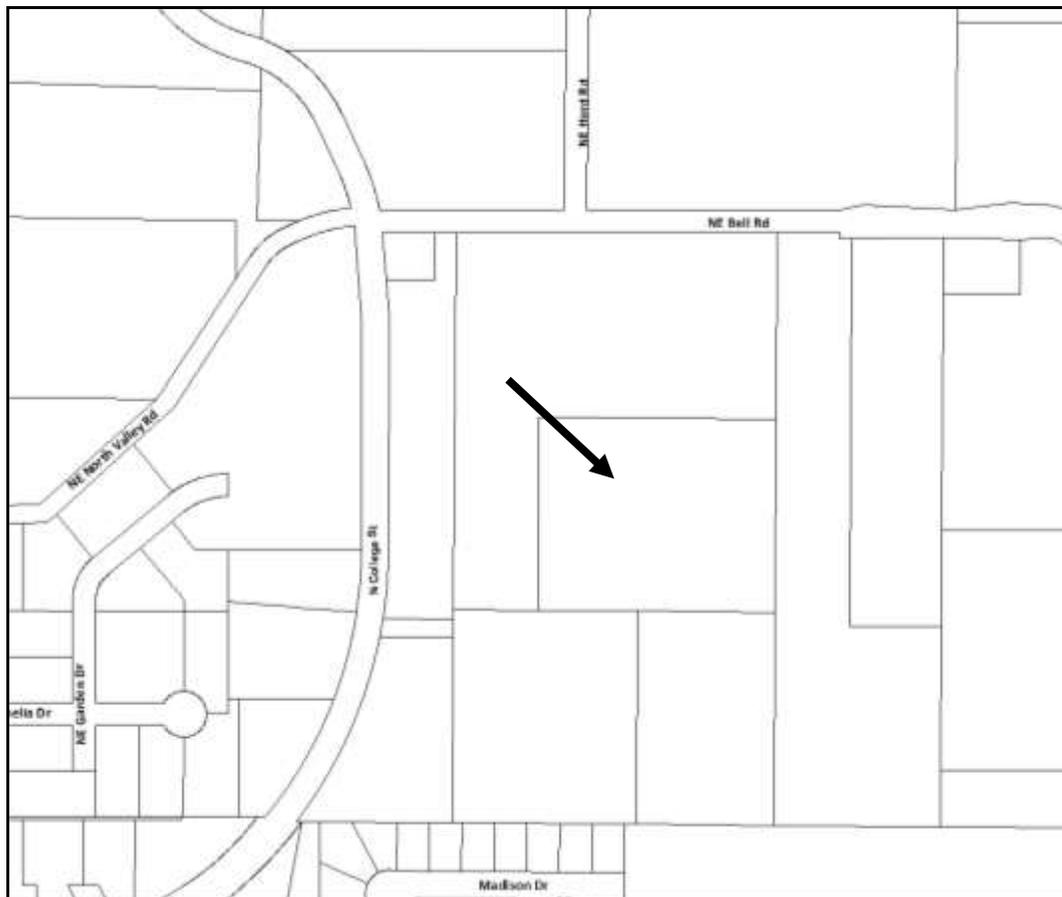
Section I: Application Information

A. DESCRIPTION OF APPLICATION: The applicant is proposing a 3,600 covered playground on the Veritas School campus to be used for outdoor recreation.

B. SITE INFORMATION:

The project site is approximately 4.97 acres in size and is zoned R-1 (Low Density Residential) with a Stream Corridor Overlay Subdistrict (SC). The subject site was developed with a private school (Veritas School) under Yamhill County approval and annexed into the City of Newberg in October 2017 (ANX-17-002). The development and annexation also included properties owned by North Valley Friends Church.

1. Location: 1230 NE Bell Road
2. Size: 4.97 acres
3. Topography: The property generally slopes to the south and west.
4. Current Land Use: School
5. Natural Features: A wetland/stream corridor area stretches across the northeast corner of the site.



6. Adjacent Land Uses:
 - a. North, South, and West: church (North Valley Friends - buildings and open fields)
 - b. East: rural residential/farm (outside city limits & urban growth boundary, within urban reserve area)
7. Zoning: The following zoning districts about the subject property.
 - a. North, South, and West: Institutional (I)
 - b. East: Yamhill County AF-10 (Agriculture/Forestry Small Holding District)
8. Access and Transportation: Access to the property is provided via a driveway from NE Bell Road which is classified as a major collector street.
9. Utilities:
 - a. Water: There is an existing 8-inch water line serving the existing development.
 - b. Wastewater: There is an existing 8-inch public sewer line serving the existing development.
 - c. Stormwater: There are no public stormwater facilities adjacent to the property.
 - d. Overhead Lines: There are some overhead utility service feeds on NE Bell Road. New or modified service connections are required to be undergrounded.

C. **PROCESS:** The Design Review request is a Type II application and follows the procedures in Newberg Development Code 15.100.030. Following a 14 day public comment period, the Community Development Director makes a decision on the application based on the criteria listed in the attached findings. The Director's decision is final unless appealed. Important dates related to this application are as follows:

1. 10/2/19: The Community Development Director deemed the application complete.
2. 10/14/19: The applicant mailed notice to the property owners within 500 feet of the site.
3. 10/14/19: The applicant posted notice on the site.
4. 10/28/19: The 14-day public comment period ended.
5. 11/4/19: The Community Development Director issued a decision on the application.

D. AGENCY COMMENTS: The application was routed to several public agencies for review and comment. Comments and recommendations from city departments have been incorporated into the findings and conditions. As of the writing of this report, the city received the following agency comments.

1. Frontier: Reviewed, no conflict.
2. Tualatin Valley Fire & Rescue (TVF&R): Reviewed, no conflict.

E. PUBLIC COMMENTS: As of the writing of this report, the city has received no written public comments on the proposed covered playground.

Section II: Findings –File DR219-0002 Design Review – Veritas School Covered Playground

A. Newberg Development Code 15.220 Site Design Review

15.220.030 Site design review requirements.

B. Type II. The following information is required to be submitted with all Type II applications for site design review:

1. Site Development Plan. A site development plan shall be to scale and shall indicate the following as appropriate to the nature of the use:

a. Access to site from adjacent right-of-way, streets and arterials;

b. Parking and circulation areas;

c. Location and design of buildings and signs;

d. Orientation of windows and doors;

e. Entrances and exits;

- f. Private and shared outdoor recreation spaces;***
- g. Pedestrian circulation;***
- h. Outdoor play areas;***
- i. Service areas for uses such as mail delivery, trash disposal, above-ground utilities, loading and delivery;***
- j. Areas to be landscaped;***
- k. Exterior lighting;***
- l. Special provisions for handicapped persons;***
- m. Other site elements and spaces which will assist in the evaluation of site development;***
- n. Proposed grading, slopes, and proposed drainage;***
- o. Location and access to utilities including hydrant locations; and***
- p. Streets, driveways, and sidewalks.***

Finding: A preliminary plan set showing the above information was provided by the applicant. This requirement is met.

2. Site Analysis Diagram. A site analysis diagram shall be to scale and shall indicate the following characteristics on the site and within 100 feet of the site:

- a. Relationship of adjacent lands;***
- b. Location of species of trees greater than four inches in diameter at four feet above ground level;***
- c. Existing and proposed topography;***
- d. Natural drainage and proposed drainage and grading;***
- e. Natural features and structures having a visual or other significant relationship with the site.***

Finding: A preliminary plan set showing the above information was provided by the applicant. This requirement is met.

3. Architectural Drawings. Architectural drawings shall be prepared which identify floor plans and elevations.

Finding: Preliminary floor and elevation plans were provided by the applicant. This requirement is met.

4. Landscape Plan. The landscape plan shall indicate:

a. The size, species and approximate locations of plant materials to be retained or placed on the site together with a statement which indicates the mature size and canopy shape of all plant materials;

b. Proposed site contouring; and

c. A calculation of the percentage of the site to be landscaped.

Finding: An existing landscape plan was provided by the applicant. This requirement is met.

5. Special Needs for Handicapped. Where appropriate, the design review plan shall indicate compliance with handicapped accessibility requirements including, but not limited to, the location of handicapped parking spaces, the location of accessible routes from the entrance to the public way, and ramps for wheelchairs.

Finding: A site plan was provided by the applicant. The proposed playground and cover do not impact accessibility. This requirement is not applicable.

6. Existing Features and Natural Landscape. The plans shall indicate existing landscaping and existing grades. Existing trees or other features intended to be preserved or removed shall be indicated on the plans.

Finding: An existing landscape plan was provided by the applicant. No existing features will be impacted. The playground and cover are proposed in an open, grassy area on the south side of the site. This requirement is met.

7. Drives, Parking and Circulation. Proposed vehicular and pedestrian circulation, parking spaces, parking aisles, and the location and number of access points shall be indicated on the plans. Dimensions shall be provided on the plans for parking aisles, back-up areas, and other items as appropriate.

Finding: A site plan showing existing parking, drive aisles, and circulation was provided by the applicant. The proposed playground and cover do not impact parking, drive aisles or circulation. This requirement is not applicable.

8. Drainage. The direction and location of on- and off-site drainage shall be indicated on the plans. This shall include, but not be limited to, site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project.

Finding: A preliminary stormwater report was provided by the applicant. This requirement is met.

9. Buffering and Screening. *Buffering and screening of areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking and similar accessory areas and structures shall be shown on the plans.*

Finding: Buffering and screening is not required for the proposed playground and cover. This requirement is not applicable.

10. Signs and Graphics. *The location, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features shall be shown on the plans.*

Finding: No signs are proposed at this time. This requirement is not applicable.

11. Exterior Lighting. *Exterior lighting within the design review plan shall be indicated on the plans. The direction of the lighting, size and type of fixtures, and an indication of the amount of lighting shall be shown on the plans.*

Finding: No lighting is proposed for the playground or cover structure. This requirement is not applicable.

12. Trash and Refuse Storage. *All trash or refuse storage areas, along with appropriate screening, shall be indicated on the plans. Refuse storage areas must be constructed of brick, concrete block or other similar products as approved by the director.*

Finding: A site plan was provided by the applicant. The proposed playground and cover do not impact the existing trash storage area. This requirement is not applicable.

13. Roadways and Utilities. *The proposed plans shall indicate any public improvements that will be constructed as part of the project, including, but not limited to, roadway and utility improvements.*

Finding: No public improvements are required for this proposal. This requirement is not applicable.

14. Traffic Study. *A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards. [Ord. 2619, 5-16-05; Ord. 2451, 12-2-96. Code 2001 § 151.192.]*

Finding: The proposed covered playground does not generate additional traffic for the school. This standard is not applicable.

15.220.050(B) Type II. The following criteria are required to be met in order to approve a Type II design review request:

1. Design compatibility. The proposed design review request incorporates an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.

Finding: The applicant provided building elevation plans for the proposed playground cover. The structure has open sides and a 6/12 pitch roof with composite shingles. Located in the southwest corner of the campus, the structure will be between the parking lot and the other school buildings. The proposed structure is compatible with the existing buildings on the school site and adjacent church properties. This criterion is met.

2. Parking and On-Site Circulation. Parking areas shall meet the requirements of NMC 15.440.010. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.

FINDING: Parking for schools is based on classrooms, seating areas, or auditorium/assembly areas. The proposal is to construct a covered playground, which does not add to the areas used for teaching or assembly. In addition, the proposed structure location does not impact the existing parking lot. Therefore, this criterion is not applicable to the proposal.

3. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and NMC 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.

Finding: The site is zoned R-1 (Low Density Residential). This criterion is met because the requirement of Sections 15.415.010 through 15.415.060, 15.405.010 through 15.405.060 and 15.410.010 through 15.410.070 have been met outright.

**15.415 Building & Site Design Standards
15.415.020 Building height limitation.**

A. Residential.

- 1. In the R-1, R-2, AR, and RP districts, no main building shall exceed 30 feet in height. Accessory buildings in the R-1, R-2, R-3, AR, and RP districts are limited to 16 feet in height, except as follows:**
 - a. Up to 800 square feet of an accessory building may have a height of up to 24 feet.**
 - b. Aircraft hangars in the AR district may be the same height as the main building.**

2. In the R-3 district, no main building shall exceed 45 feet in height, except, where an R-3 district abuts upon an R-1 district, the maximum permitted building height shall be limited to 30 feet for a distance of 50 feet from the abutting boundary of the aforementioned district.

3. Single-family dwellings permitted in commercial or industrial districts shall not exceed 30 feet in height.

Finding: The covered playground will be used for recreation in inclement weather and is considered a main building on the school campus. The site is located in the R-1 zone, which has a height limitation of 30 feet for main buildings. The proposed structure is approximately 18.5 feet measured to the midpoint of the gable roof. The limitation is met.

15.415.030 Building height exemptions.

Roof structures and architectural features for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, TV antennas, steeples and similar structures may be erected above the height limits prescribed in this code; provided, that no roof structure, feature or any other device above the prescribed height limit shall be allowed or used for the purpose of providing additional floor space. Further, no roof structure or architectural feature under this exemption shall be erected more than 18 feet above the height of the main building, whether such structure is attached to it or freestanding, nor shall any such structure or feature exceed the height limits of the airport overlay subdistrict.

Finding: The proposed structure does not include any projections or features that are exempt from the limitations. This standard does not apply.

15.415.040 Public access required.

No building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement of record approved in accordance with provisions contained in this code. New private streets may not be created to provide access except as allowed under MC 15.332.020(B)(24), 15.336.020(B)(8), and in the M-4 zone. Existing private streets may not be used for access for new dwelling units, except as allowed under NMC 15.405.030. No building or structure shall be erected or altered without provisions for access roadways as required in the Oregon Fire Code, as adopted by the city.

Finding: The proposed structure is being built on a site that has an existing, shared access to a public street (NE Bell Road) across the adjacent properties owned by North Valley Friends Church. No changes are proposed to the existing access. This standard is met.

15.415.050 Rules and exceptions governing single-family attached dwellings.

Finding: The standards for single-family attached dwellings do not apply because the proposal is for a covered, school playground.

15.415.060 Home occupation.

Finding: The standards for home occupations do not apply because home occupations have not been requested. The proposal is for a covered, school playground.

15.405.010 Lot area – Lot areas per dwelling unit.

A. In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code:

- 1. In the R-1 district, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict. The average size of lots in a subdivision intended for single-family development shall not exceed 10,000 square feet.**
- 2. In the R-2, R-3, and RP districts, each lot or development site shall have a minimum area of 3,000 square feet or as may be established by a subdistrict. In the R-2 and R-P districts, the average size of lots in a subdivision intended for single-family development shall not exceed 5,000 square feet.**
- 3. In the AI, AR, C-1, C-2, and C-3 districts, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict.**
- 4. In the M-1, M-2 and M-3 districts, each lot or development site shall have a minimum area of 20,000 square feet.**
- 5. Institutional districts shall have a minimum size of five contiguous acres in order to create a large enough campus to support institutional uses; however, additions to the district may be made in increments of any size.**
- 6. Within the commercial zoning district(s) of the riverfront overlay subdistrict, there is no minimum lot size required, provided the other standards of this code can be met.**

Finding: The subject property is zoned R-1 and is approximately 4.97 acres. The proposal is for a covered playground and does not include the creation of new lots. The minimum lot area standards are met.

B. Lot or Development Site Area per Dwelling Unit.

- 1. In the R-1 district, there shall be a minimum of 5,000 square feet per dwelling unit.**
- 2. In the R-2, AR, and R-P districts, there shall be a minimum of 3,000 square feet of lot or development site area per dwelling unit. In the R-2 and R-P districts, lots or development sites in excess of 15,000 square feet used for multiple single-family, duplex or multifamily dwellings shall be developed at a minimum of one dwelling per 5,000 square feet lot area.**
- 3. In the R-3 district, there shall be a minimum of 1,500 square feet of lot or development site area per dwelling unit. Lots or development sites in excess of 15,000 square feet used for multiple single-family, duplex or multifamily dwellings shall be developed at a minimum of one dwelling per 2,500 square feet lot area.**

Finding: The subject property is zoned R-1. The proposal is construction of a covered, school playground and does not include dwelling units. This standard is not applicable.

C. In calculating lot area for this section, lot area does not include land within public or private streets. In calculating lot area for maximum lot area/minimum density requirements, lot area does not include land within stream corridors, land reserved for public parks or open spaces, commons buildings, land for preservation of natural, scenic, or historic resources, land on slopes exceeding 15 percent or for avoidance of identified natural hazards, land in shared access easements, public walkways, or entirely used for utilities, land held in reserve in accordance with a future development plan, or land for uses not appurtenant to the residence.

Finding: The site size of 4.97 acres does not include land within public or private streets. A portion of the site (NE corner) does include stream corridor. However, maximum lot area/minimum density requirements are not applicable to the proposed covered playground. This standard is met.

D. Lot size averaging is allowed for any subdivision. Some lots may be under the minimum lot size required in the zone where the subdivision is located, as long as the average size of all lots is at least the minimum lot size.

Finding: The proposal is construction of a covered, school playground and not a subdivision. This standard is not applicable.

15.405.020 Lot area exceptions.

The following shall be exceptions to the required lot areas:

A. Lots of record with less than the area required by this code.

B. Lots or development sites which, as a process of their creation, were approved in accordance with this code.

C. Planned unit developments, provided they conform to requirements for planned unit development approval.

Finding: The proposal does not require a lot area exception. These standards are not applicable.

15.405.030 Lot dimensions and frontage.

A. Width. Widths of lots shall conform to the standards of this code.

B. Depth to Width Ratio. Each lot and parcel shall have an average depth between the front and rear lines of not more than two and one-half times the average width between the side lines. Depths of lots shall conform to the standards of this code. Development of lots under 15,000 square feet are exempt from the lot depth to width ratio requirement.

C. Area. Lot sizes shall conform to standards set forth in this code. Lot area calculations shall not include area contained in public or private streets as defined by this code.

D. Frontage.

1. No lot or development site shall have less than the following lot frontage standards:

a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access except as allowed by NMC 15.240.020(L)(2).

2. The above standards apply with the following exceptions:

a. Legally created lots of record in existence prior to the effective date of the ordinance codified in this code.

b. Lots or development sites which, as a process of their creation, were approved with sub-standard widths in accordance with provisions of this code.

c. Existing private streets may not be used for new dwelling units, except private streets that were created prior to March 1, 1999, including paving to fire access roads standards and installation of necessary utilities, and private streets allowed in the airport residential and airport industrial districts.

Finding: The subject property is zoned R-1. The proposal is for a covered playground on an existing parcel and does not include the creation of new lots. Standards related to lot dimensions and frontage are not applicable.

15.410.010 General yard regulations.

A. No yard or open space provided around any building for the purpose of complying with the provisions of this code shall be considered as providing a yard or open space for any other building.

Finding: Neither the applicant's narrative or plan sheets indicate that any yard or open space will be utilized for any other building. This standard is met.

B. No yard or open space on adjoining property shall be considered as providing required yard or open space for another lot or development site under the provisions of this code.

Finding: This standard is met because no yard or open space on adjoining property is being used to provide any required yard or open space for another lot or development site.

C. No front yards provided around any building for the purpose of complying with the regulations of this code shall be used for public or private parking areas or garages, or other accessory buildings, except as specifically provided elsewhere in this code.

Finding: This standard is not applicable. The site is not adjacent to any streets and therefore does not have a front yard.

D. When the common property line separating two or more contiguous lots is covered by a building or a permitted group of buildings with respect to such common property line or lines does not fully conform to the required yard spaces on each side of such common

property line or lines, such lots shall constitute a single development site and the yards as required by this code shall then not apply to such common property lines.

Finding: The site consists of only one lot. This standard is not applicable.

E. Dwellings Where Permitted above Nonresidential Buildings. The front and interior yard requirements for residential uses shall not be applicable; provided, that all yard requirements for the district in which such building is located are complied with.

Finding: This standard is not applicable because no dwellings are being proposed for this institutional use.

F. In the AI airport industrial district, clear areas, safety areas, object-free areas, taxiways, parking aprons, and runways may be counted as required yards for a building, even if located upon an adjacent parcel.

Finding: The subject property is zoned R-1 and not AI, therefore this standard is not applicable.

G. In the AR airport residential district, clear areas, safety areas, object-free areas, taxiways, parking aprons, and runways may be counted as required yards for a building, if located upon an adjacent parcel. [Ord. 2647, 6-5-06; Ord. 2451, 12-2-96. Code 2001 § 151.550.]

Finding: The subject property is zoned R-1 and not AR, therefore this standard is not applicable.

15.410.020 Front yard setback.

A. Residential (see Appendix A, Figure 10).

- 1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.***
- 2. R-3 and RP districts shall have a front yard of not less than 12 feet. Said yard shall be landscaped and maintained.***
- 3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.***

Finding: The subject property is zoned R-1 (Low Density Residential). The front yard setback in the R-1 zoning district is 15 feet. However, the site is not adjacent to streets and has no front yard. This standard is not applicable.

15.410.030 Interior yard setback.

A. Residential.

- 1. All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.***

2. All lots or development sites in the RP district shall have interior yards of not less than eight feet.

Finding: The subject property is zoned R-1. The interior yard setback in the R-1 zone is five feet. The site plan shows that the proposed building is more than sixty-five feet from the nearest interior property line. This standard is met.

15.410.040 Setback and yard restrictions as to schools, churches, public buildings.

A. Building Setback. No buildings shall be erected, used or maintained for a school, church or public or semi-public building or use, institution or similar use under the regulations of this code unless such building is removed at least 25 feet from every boundary line of any property included in any residential district.

B. Required Yard. No required front or interior yard of the lot on which such building or use is located shall be used for play or parking purposes.

Finding: Veritas School is a school use; therefore, the proposed building must be at least 25 feet from every boundary line included in any residential district. Adjacent properties are zoned Institutional (I) to the north, south, and west and Yamhill County AF-10 to the east. AF-10 zoning is considered rural residential. The proposed structure is set back 281 feet from the property zoned AF -10 and set back 65 feet or more to the closest Institutional zoned property. This standard is met.

15.410.050 Special setback requirements to planned rights-of-way.

A. Yard Requirements for Property Abutting Partial or Future Street Rights-of-Way.

1. Except as provided in subsection (A)(2) of this section, no building shall be erected on a lot which abuts a street having only a portion of its required width dedicated, unless the yards provided and maintained in connection with such building have a width and/or depth needed to complete the street width plus the width and/or depths of the yards required on the lot by this code.

2. Where a comprehensive plan street design or a future street plan exists, the placement of buildings and the establishment of yards where required by this code shall relate to the future street boundaries as determined by said plans.

Finding: The site is not adjacent to any streets. These standards do not apply.

15.410.060 Vision clearance setback.

The following vision clearance standards shall apply in all zones (see Appendix A, Figure 9).

A. At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.

B. At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.

C. Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.

Finding: The site is not located at the intersection of streets or private drive and a street. These standards do not apply.

15.410.070 Yard exceptions and permitted intrusions into required yard setbacks. The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

A. Depressed Areas. In any district, open work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps, stairs or retaining walls may be located in required yards; provided, that such devices are not more than three and one-half feet in height.

Finding: This standard is not applicable because there are no depressed areas that involve intrusions or projections into required yards.

B. Accessory Buildings. In front yards on through lots, where a through lot has a depth of not more than 140 feet, accessory buildings may be located in one of the required front yards; provided, that every portion of such accessory building is not less than 10 feet from the nearest street line.

Finding: This standard is not applicable because there are no accessory buildings proposed for the subject property. The proposed playground cover is a main building on the Veritas School campus.

C. Projecting Building Features. The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet; provided, that such projections are no closer than three feet to any interior lot line:

- 1. Eaves, cornices, belt courses, sills, awnings, buttresses or other similar features.***
- 2. Chimneys and fireplaces, provided they do not exceed eight feet in width.***
- 3. Porches, platforms or landings which do not extend above the level of the first floor of the building.***
- 4. Mechanical structures (heat pumps, air conditioners, emergency generators and pumps).***

Finding: The applicant's site plan and narrative do not indicate that there are any planned intrusions into the required yards. This standard is not applicable to the proposal.

D. Fences and Walls.

- 1. In the residential district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:***

a. Not to exceed six feet in height. Located or maintained within the required interior yards. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of a six-foot fence on the property line. In no case may a fence extend into the clear vision zone as defined in NMC 15.410.060.

b. Not to exceed four feet in height. Located or maintained within all other front yards.

Finding: No fences or walls are proposed according to the applicant's plans and narrative. This standard does not apply.

E. Parking and Service Drives

1. In any district, service drives or accessways providing ingress and egress shall be permitted, together with any appropriate traffic control devices in any required yard.

2. In any residential district, public or private parking areas and parking spaces shall not be permitted in any required yard except as provided herein:

a. Required parking spaces shall be permitted on service drives in the required front yard in conjunction with any single-family or two-family dwelling on a single lot.

b. Recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are restricted to parking in the front yard setback for not more than 48 hours; and recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are permitted to be located in the required interior yards.

c. Public or private parking areas, parking spaces or any building or portion of any building intended for parking which have been identified as a use permitted in any residential district shall be permitted in any interior yard that abuts an alley, provided said parking areas, structures or spaces shall comply with NMC 15.440.070, Parking tables and diagrams (Diagrams 1 through 3).

d. Public or private parking areas, service drives or parking spaces which have been identified as a use permitted in any residential district shall be permitted in interior yards; provided, that said parking areas, service drives or parking spaces shall comply with other requirements of this code.

Finding: The proposal is to construct a covered playground. There are no changes proposed to the existing parking areas or service drives. These standards are not applicable.

3. In any commercial or industrial district, except C-1, C-4 and M-1, public or private parking areas or parking spaces shall be permitted in any required yard (see NMC 15.410.030). Parking requirements in the C-4 district are described in NMC 15.352.040(H).

Finding: This standard is not applicable because the subject property is zoned R-1, which is not a commercial or industrial district.

4. In the I district, public or private parking areas or parking spaces may be no closer to a front property line than 20 feet, and no closer to an interior property line than five feet.

Finding: This standard is not applicable because the subject property is zoned R-1 and is not zoned as I or Institutional.

F. Public Telephone Booths and Public Transit Shelters. Public telephone booths and public transit shelters shall be permitted; provided, that vision clearance is maintained for vehicle requirements for vision clearance.

Finding: This standard is not applicable because the applicant is not proposing any public telephone booths or public transit shelters.

G. Hangars within the AR airport residential district may be constructed with no yard setbacks to property lines adjacent to other properties within the airport residential or airport industrial districts.

Finding: This standard is not applicable because there are no hangars being proposed, and the subject property is not within the AR Airport Residential District.

15.220.050(B) Type II Site Design Review Criteria (continued)

4. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.

Finding: This standard is met because the requirements of Section 15.420.010 have been met outright or are not applicable to the proposal as demonstrated below.

15.420.010 Required minimum standards.

B. Required Landscaped Area. The following landscape requirements are established for all developments except single-family dwellings:

- 1. A minimum of 15 percent of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subsection (B)(3) of this section. Development in the C-3 (central business district) zoning district and M-4 (large lot industrial) zoning district is exempt from the 15 percent landscape area requirement of this section. Additional landscaping requirements in the C-4 district are described in NMC 15.352.040(K). In the AI airport industrial district, only a five percent landscaping standard is required with the goal of "softening" the buildings and making the development "green" with plants, where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15 percent requirement. Developments in the AI airport industrial district with a public street frontage**

shall have said minimum landscaping between the front property line and the front of the building.

Finding: The applicant provided a site plan illustrating the site's existing landscape areas and how the minimum 15% landscaping requirement is satisfied. After the proposed covered playground is constructed, the site will still have more than 50,800 square feet of landscaping. This is at least 23% of the site. The site is not within the C-3, C-4, M-4 zones or AI district, therefore the additional standards do not apply to the proposal. The minimum landscape area standard is met.

2. All areas subject to the final design review plan and not otherwise improved shall be landscaped.

Finding: All areas not otherwise improved are landscaped per the applicant's plans and a site visit. This standard is met.

- 3. The following landscape requirements shall apply to the parking and loading areas:***
- a. A parking or loading area providing 10 or more spaces shall be improved with defined landscaped areas totaling no less than 25 square feet per parking space.***
 - b. A parking, loading area, or drive aisle which runs adjacent to a property line shall be separate from any lot line adjacent to a street by a landscaped strip at least 10 feet in interior width or the width of the required yard, whichever is greater, and any other lot line by a landscaped strip of at least five feet in interior width. See subsections (B)(3)(c) and (d) of this section for material to plant within landscape strips.***
 - c. A landscaped strip separating a parking area, loading area, or drive aisle from a street shall contain street trees spaced as appropriate to the species, not to exceed 50 feet apart on average, and a combination of shrubs and ground cover, or lawn. This landscaping shall provide partial screening of these areas from the street.***
 - d. A landscaped strip separating a parking area, loading area, or drive aisle from an interior lot line shall contain any combination of trees, shrubs, ground cover or lawn. Plant material shall be selected from at least two different plant material groups (example: trees and shrubs, or lawn and shrubs, or lawn and trees and shrubs).***
 - e. Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.***
 - f. Landscaping areas in a parking lot, service drive or loading area shall have an interior width of not less than five feet.***
 - g. All multifamily, institutional, commercial, or industrial parking areas, service drives, or loading zones which abut a residential district shall be enclosed with a 75 percent opaque, site-obscuring fence, wall or evergreen hedge along and immediately adjacent to any interior property line which abuts the residential district. Landscape plantings must be large enough to provide the required minimum screening requirement within 12***

months after initial installation. Adequate provisions shall be maintained to protect walls, fences or plant materials from being damaged by vehicles using said parking areas.

h. An island of landscaped area shall be located to separate blocks of parking spaces. At a minimum, one deciduous shade tree per seven parking spaces shall be planted to create a partial tree canopy over and around the parking area. No more than seven parking spaces may be grouped together without an island separation unless otherwise approved by the director based on the following alternative standards:

i. Provision of a continuous landscaped strip, with a five-foot minimum width, which runs perpendicular to the row of parking spaces (see Appendix A, Figure 13).

ii. Provision of tree planting landscape islands, each of which is at least 16 square feet in size, and spaced no more than 50 feet apart on average, within areas proposed for back-to-back parking (see Appendix A, Figure 14).

Finding: The proposal is to construct a covered playground on the site. The existing parking lot and landscaping within the lot are not impacted. These standards are not applicable.

4. Trees, Shrubs and Ground Covers. *The species of street trees required under this section shall conform to those authorized by the city council through resolution. The director shall have the responsibility for preparing and updating the street tree species list which shall be adopted in resolution form by the city council.*

a. Arterial and minor arterial street trees shall have spacing of approximately 50 feet on center. These trees shall have a minimum two-inch caliper tree trunk or stalk at a measurement of two feet up from the base and shall be balled and burlapped or boxed.

b. Collector and local street trees shall be spaced approximately 35 to 40 feet on center. These trees shall have a minimum of a one and one-half or one and three-fourths inch tree trunk or stalk and shall be balled and burlapped or boxed.

c. Accent Trees. Accent trees are trees such as flowering cherry, flowering plum, crab-apple, Hawthorne and the like. These trees shall have a minimum one and one-half inch caliper tree trunk or stalk and shall be at least eight to 10 feet in height. These trees may be planted bare root or balled and burlapped. The spacing of these trees should be approximately 25 to 30 feet on center.

d. All broad-leafed evergreen shrubs and deciduous shrubs shall have a minimum height of 12 to 15 inches and shall be balled and burlapped or come from a two-gallon can. Gallon-can size shrubs will not be allowed except in ground covers. Larger sizes of shrubs may be required in special areas and locations as specified by the design review board. Spacing of these shrubs shall be typical for the variety, three to eight feet, and shall be identified on the landscape planting plan.

e. Ground Cover Plant Material. Ground cover plant material such as greening juniper, cotoneaster, minor Bowles, English ivy, hypericum and the like shall be one of the following sizes in specified spacing for that size:

<i>Gallon cans</i>	<i>3 feet on center</i>
<i>4" containers</i>	<i>2 feet on center</i>
<i>2-1/4" containers</i>	<i>18" on center</i>
<i>Rooted cuttings</i>	<i>12" on center</i>

Finding: The standards related to street trees are not applicable because the subject property is not adjacent to any streets.

5. Automatic, underground irrigation systems shall be provided for all areas required to be planted by this section. The director shall retain the flexibility to allow a combination of irrigated and nonirrigated areas. Landscaping material used within nonirrigated areas must consist of drought-resistant varieties. Provision must be made for alternative irrigation during the first year after initial installation to provide sufficient moisture for plant establishment.

Finding: The proposal is to construct a covered playground in an open grassy area on the south end of the campus. No new landscaping is required or proposed. This standard is not applicable.

6. Required landscaping shall be continuously maintained.

Finding: The proposal is to construct a covered playground in a grassy area on the Veritas School property. The minimum landscape requirement will still be met. The applicant is not required to install nor proposes any new landscaping. Therefore this standard is not applicable.

7. Maximum height of tree species shall be considered when planting under overhead utility lines.

Finding: No new trees are proposed or required; therefore consideration of tree height is not applicable.

8. Landscaping requirements and standards for parking and loading areas (subsection (B)(3) of this section) will apply to development proposals unless the institution has addressed the requirements and standards by an approved site development master plan. With an approved site development master plan, the landscape requirements will be reviewed through an administrative Type I review process.

Finding: The proposal is to construct a covered playground on the site. The existing parking lot and landscaping within the lot are not impacted. These standards are not applicable.

9. In the M-4 zone, landscaping requirements and standards for parking and loading areas (subsection (B)(3) of this section) do not apply unless within 50 feet of a residential district.

Finding: This criterion is not applicable because the subject property is zoned R-1 and not M-4.

C. Installation of Landscaping. All landscaping required by these provisions shall be installed prior to the issuance of occupancy permits, unless security equal to 110 percent of the cost of the landscaping as determined by the director is filed with the city, insuring such installation within six months of occupancy. A security – cash, certified check, time certificates of deposit, assignment of a savings account, bond or such other assurance of completion as shall meet with the approval of the city attorney – shall satisfy the security requirements. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the director, the security may be used by the city to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the city shall be returned to the applicant.

Finding: The proposal is to construct a covered playground in a grassy area on the Veritas School property. The minimum landscape requirement will still be met. The applicant is not required to install nor proposes any new landscaping. Therefore this standard is not applicable.

Section 15.220.040(B) Type II Site Design Review Criteria (continued)

5. Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.

Finding: No signs are included in this proposal. This criterion is not applicable.

6. Manufactured Home, Mobile Home and RV Parks. Manufactured home, mobile home, and recreational vehicle parks shall also comply with the standards listed in NMC 15.445.050 et seq. in addition to the other criteria listed in this section.

Finding: The proposal is for a covered playground and not a manufactured home, mobile home, or RV park. This criterion does not apply.

7. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.304.010 through 15.328.040. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.

Finding: The site is zoned R-1 (Low Density Residential). The proposed covered playground does not change the existing use, which is a school. This criterion is met.

8. Subdistrict Compliance. Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.

Finding: A portion of the site (approximately 7,900 square feet) is within the Stream Corridor Overlay (SC) Subdistrict along the western boundary. Section 15.342 of the Newberg Municipal Code regulates development within the stream corridor. The proposal does not include any development within the stream corridor. Therefore, the proposal is exempt from the stream corridor requirements, and this criterion is met.

9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements. Where applicable, new developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.

Finding: The proposal is to construct a covered playground. No changes are proposed to the existing access for vehicles or pedestrians. The access is already shared with North Valley Friends Church because the Veritas School site has no frontage on a public street. There are no other opportunities to provide access to adjacent properties, and frontage improvements are not required for the land locked property. This criterion is not applicable.

10. Traffic Study Improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director.

Finding: The proposed covered playground will not generate additional traffic for the school. A traffic study is not required; therefore, this criterion is not applicable.

***Additional Applicable Development Code Standards
15.425.040 Requirements.***

A. General Requirements – All Zoning Districts.

1. Low-level light fixtures include exterior lights which are installed between ground level and six feet tall. Low-level light fixtures are considered nonintrusive and are unrestricted by this code.

2. Medium-level light fixtures include exterior lights which are installed between six feet and 15 feet above ground level. Medium-level light fixtures must either comply with the shielding requirements of subsection (B) of this section, or the applicant shall show that light trespass from a property has been designed not to exceed one-half foot-candle at the property line.

3. High-level light fixtures include exterior lights which are installed 15 feet or more above ground level. High-level light fixtures must comply with the shielding requirements of subsection (B) of this section, and light trespass from a property may not exceed one-half foot-candle at the property line.

B. Table of Shielding Requirements.

Fixture Lamp Type	Shielded
Low/high pressure sodium, mercury vapor, metal halide and fluorescent over 50 watts	Fully
Incandescent over 160 watts	Fully
Incandescent 160 watts or less	None
Fossil fuel	None
Any light source of 50 watts or less	None
Other sources	As approved by NMC 15.425.030

Finding: The applicant states in the narrative that no lighting is proposed. These standards do not apply.

15.430.010 Underground utility installation.

A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.

B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.

C. The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:

- 1. The cost of undergrounding the utility is extraordinarily expensive.**
- 2. There are physical factors that make undergrounding extraordinarily difficult.**
- 3. Existing utility facilities in the area are primarily overhead and are unlikely to be changed.**

Finding: The applicant’s preliminary plans do not show any overhead utility installation for the covered playground. These standards do not apply.

Article I. Off-Street Parking Requirements (see previous sections in this report)

Article II. Bicycle Parking

15.440.100 Facility requirements.

Bicycle parking facilities shall be provided for the uses shown in the following table. Fractional space requirements shall be rounded up to the next whole number.

Use	Minimum Number of Bicycle Parking Spaces Required
New commercial, industrial, office, and institutional developments including additions that total 4,000 square feet or more.	One bicycle parking space for every 10,000 square feet of gross floor area. In C-4 districts, two bicycle parking spaces, or one per 5,000 square feet of building area, must be provided, whichever is greater.

Finding: The applicant is proposing construction of a covered playground for Veritas School, which is an institutional use. The total square footage of the structure is 3,600 square feet. This is less than the 4,000 square foot minimum addition that requires bicycle parking. The standard does not apply to the proposal.

Article III. Private Walkways

15.440.140 Private walkway design.

A. All required private walkways shall meet the applicable building code and Americans with Disabilities Act requirements.

B. Required private walkways shall be a minimum of four feet wide.

C. Required private walkways shall be constructed of portland cement concrete or brick.

D. Crosswalks crossing service drives shall, at a minimum, be painted on the asphalt or clearly marked with contrasting paving materials or humps/raised crossings. If painted striping is used, it should consist of thermoplastic striping or similar type of durable application.

E. At a minimum, required private walkways shall connect each main pedestrian building entrance to each abutting public street and to each other.

F. The review body may require on-site walks to connect to development on adjoining sites.

G. The review body may modify these requirements where, in its opinion, the development provides adequate on-site pedestrian circulation, or where lot dimensions, existing building layout, or topography preclude compliance with these standards.

Finding: The development site has existing on-site pedestrian circulation. The playground cover will not have walls or entrances; therefore it does not require a walkway connection to the public street. This standard is not applicable.

15.505 Public Improvements Standards

15.505.020 Applicability.

The provision and utilization of public facilities and services within the City of Newberg shall apply to all land developments in accordance with this chapter. No development shall be approved unless the following improvements are provided for prior to occupancy or operation, unless future provision is assured in accordance with NMC 15.505.030(E).

A. Public Works Design and Construction Standards. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall comply with the requirements of the most recently adopted Newberg public works design and construction standards.

B. Street Improvements. All projects subject to a Type II design review, partition, or subdivision approval must construct street improvements necessary to serve the development.

FINDING: The applicant's preliminary plans do not show any street improvements, as none are required to install the covered playground. This requirement does not apply.

C. Water. All developments, lots, and parcels within the City of Newberg shall be served by the municipal water system as specified in Chapter 13.15 NMC.

Finding: There is an 8-inch water line that serves the existing development; however, the applicant's preliminary plans do not show any water serving the covered playground. This requirement does not apply.

D. Wastewater. All developments, lots, and parcels within the City of Newberg shall be served by the municipal wastewater system as specified in Chapter 13.10 NMC.

Finding: There is an 8-inch wastewater line that serves the existing development; however, the applicant's preliminary plans do not show any wastewater serving the covered playground. This requirement does not apply.

E. Stormwater. All developments, lots, and parcels within the City of Newberg shall manage stormwater runoff as specified in Chapters 13.20 and 13.25 NMC.

Finding: The applicant's preliminary plans and narrative address the new impervious surfaces being created by the covered playground. This requirement will be met if all stormwater improvements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.050.

F. Utility Easements. Utility easements shall be provided as necessary and required by the review body to provide needed facilities for present or future development of the area.

Finding: The applicant's preliminary plans do not show any proposed utility easements related to the installation of the covered playground. This requirement will be met if all easements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.040(F).

G. City Approval of Public Improvements Required. No building permit may be issued until all required public facility improvements are in place and approved by the director, or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the Newberg Public Works Design and Construction Standards.

Finding: No public improvements are required. This standard does not apply.

15.505.030 Street standards.

B. Applicability. The provisions of this section apply to:

- 1. The creation, dedication, and/or construction of all public streets, bike facilities, or pedestrian facilities in all subdivisions, partitions, or other developments in the City of Newberg.***
- 2. The extension or widening of existing public street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the city, or which may be required by the city in association with other development approvals.***
- 3. The construction or modification of any utilities, pedestrian facilities, or bike facilities in public rights-of-way or easements.***
- 4. The designation of planter strips. Street trees are required subject to Chapter 15.420 NMC.***
- 5. Developments outside the city that tie into or take access from city streets.***

C. Layout of Streets, Alleys, Bikeways, and Walkways. Streets, alleys, bikeways, and walkways shall be laid out and constructed as shown in the Newberg transportation system plan. In areas where the transportation system plan or future street plans do not show specific transportation improvements, roads and streets shall be laid out so as to conform to previously approved subdivisions, partitions, and other developments for adjoining properties, unless it is found in the public interest to modify these patterns. Transportation improvements shall conform to the standards within the Newberg Municipal Code, the Newberg public works design and construction standards, the Newberg transportation system plan, and other adopted city plans.

D. Construction of New Streets. Where new streets are necessary to serve a new development, subdivision, or partition, right-of-way dedication and full street improvements shall be required. Three-quarter streets may be approved in lieu of full street improvements when the city finds it to be practical to require the completion of the other one-quarter street improvement when the adjoining property is developed; in such cases, three-quarter street improvements may be allowed by the city only where all of the following criteria are met:

- 1. The land abutting the opposite side of the new street is undeveloped and not part of the new development; and***
- 2. The adjoining land abutting the opposite side of the street is within the city limits and the urban growth boundary.***

Finding: The applicant is not proposing construction of new streets. This criteria does not apply.

E. Improvements to Existing Streets.

1. All projects subject to partition, subdivision, or Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.

2. All projects subject to partition, subdivision, or Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.

3. In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.

Finding: The Veritas School site does not have any public street frontage. Access is via a shared driveway to NE Bell Road across adjacent properties owned by North Valley Friends Church. The applicant is not proposing modifications to any existing street, and no street improvements are required for the proposed covered playground. These standards do not apply.

F. Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.

Finding: There are no improvements relating to impacts identified as part of this proposed action. This standard does not apply.

G. Street Width and Design Standards.

1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based

on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

Table 15.505.030(G) Street Design Standards

Type of Street	Right-of-Way Width	Curb-to-Curb Pavement Width	Motor Vehicle Travel Lanes	Median Type	Striped Bike Lane (Both Sides)	On-Street Parking
Arterial Streets						
Expressway**	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>
Major arterial	95 – 100 feet	74 feet	4 lanes	TWLTL or median*	Yes	No*
Minor arterial	69 – 80 feet	48 feet	2 lanes	TWLTL or median*	Yes	No*
Collectors						
Major	57 – 80 feet	36 feet	2 lanes	None*	Yes	No*
Minor	61 – 65 feet	40 feet	2 lanes	None*	Yes*	Yes*
Local Streets						
Local residential	54 – 60 feet	32 feet	2 lanes	None	No	Yes
Limited residential, parking both sides	44 – 50 feet	28 feet	2 lanes	None	No	Yes
Limited residential, parking one side	40 – 46 feet	26 feet	2 lanes	None	No	One side
Local commercial/ industrial	55 – 65 feet	34 feet	2 lanes	None*	No*	Yes*

* May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.

** All standards shall be per ODOT expressway standards.

2. Motor Vehicle Travel Lanes. Collector and arterial streets shall have a minimum width of 12 feet.

3. Bike Lanes. Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.

4. Parking Lanes. Where on-street parking is allowed on collector and arterial streets, the parking lane shall be a minimum of eight feet wide.

5. Center Turn Lanes. Where a center turn lane is provided, it shall be a minimum of 12 feet wide.

6. Limited Residential Streets. Limited residential streets shall be allowed only at the discretion of the review authority, and only in consideration of the following factors:

- a. The requirements of the fire chief shall be followed.
- b. The estimated traffic volume on the street is low, and in no case more than 600 average daily trips.
- c. Use for through streets or looped streets is preferred over cul-de-sac streets.
- d. Use for short blocks (under 400 feet) is preferred over longer blocks.
- e. The total number of residences or other uses accessing the street in that block is small, and in no case more than 30 residences.
- f. On-street parking usage is limited, such as by providing ample off-street parking, or by staggering driveways so there are few areas where parking is allowable on both sides.

7. Sidewalks. Sidewalks shall be provided on both sides of all public streets. Minimum width is five feet.

8. Planter Strips. Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curb-side sidewalks may be allowed on limited residential streets. Where curb-side sidewalks are allowed, the following shall be provided:

- a. Additional reinforcement is done to the sidewalk section at corners.
- b. Sidewalk width is six feet.

9. Slope Easements. Slope easements shall be provided adjacent to the street where required to maintain the stability of the street.

10. Intersections and Street Design. The street design standards in the Newberg public works design and construction standards shall apply to all public streets, alleys, bike facilities, and sidewalks in the city.

11. The planning commission may approve modifications to street standards for the purpose of ingress or egress to a minimum of three and a maximum of six lots through a conditional use permit.

Finding: The Veritas School site does not have any public street frontage. Access is via a shared driveway to NE Bell Road across adjacent properties owned by North Valley Friends Church. The applicant is not proposing modifications to any existing street, and no street improvements are required for the proposed covered playground. These standards do not apply.

H. Modification of Street Right-of-Way and Improvement Width. The director, pursuant to the Type II review procedures of Chapter 15.220 NMC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:

- 1. The modification is necessary to provide design flexibility in instances where:**
 - a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or**
 - b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or**
 - c. A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or**
 - d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.**
- 2. Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.**

Finding: The applicant is not proposing modifications to the street right-of-way or improvement width. These standards do not apply.

I. Temporary Turnarounds. Where a street will be extended as part of a future phase of a development, or as part of development of an abutting property, the street may be terminated with a temporary turnaround in lieu of a standard street connection or circular cul-de-sac bulb. The director and fire chief shall approve the temporary turnaround. It shall have an all-weather surface, and may include a hammerhead-type turnaround meeting fire apparatus access road standards, a paved or graveled circular turnaround, or a paved or graveled temporary access road. For streets extending less than 150 feet and/or with no significant access, the director may approve the street without a temporary turnaround. Easements or right-of-way may be required as necessary to preserve access to the turnaround.

Finding: The applicant is not proposing a temporary turnaround. This standard does not apply.

J. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of this code.

Finding: The applicant is not proposing or laying out any future streets. This standard does not apply.

K. Future Extension of Streets. All new streets required for a subdivision, partition, or a project requiring site design review shall be constructed to be “to and through”: through the development and to the edges of the project site to serve adjacent properties for future development.

Finding: There are no possible future street extensions as part of this project. This standard does not apply.

L. Cul-de-Sacs.

- 1. Cul-de-sacs shall only be permitted when one or more of the circumstances listed in this section exist. When cul-de-sacs are justified, public walkway connections shall be provided wherever practical to connect with another street, walkway, school, or similar destination.***
 - a. Physical or topographic conditions make a street connection impracticable. These conditions include but are not limited to controlled access streets, railroads, steep slopes, wetlands, or water bodies where a connection could not be reasonably made.***
 - b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.***
 - c. Where streets or accessways would violate provisions of leases, easements, or similar restrictions.***
 - d. Where the streets or accessways abut the urban growth boundary and rural resource land in farm or forest use, except where the adjoining land is designated as an urban reserve area.***
- 2. Cul-de-sacs shall be no more than 400 feet long (measured from the centerline of the intersection to the radius point of the bulb).***
- 3. Cul-de-sacs shall not serve more than 18 single-family dwellings.***

Each cul-de-sac shall have a circular end with a minimum diameter of 96 feet, curb-to-curb, within a 109-foot minimum diameter right-of-way. For residential uses, a 35-foot radius may be allowed if the street has no parking, a mountable curb, curbside sidewalks, and sprinkler systems in every building along the street.

Finding: The applicant is not proposing a cul-de-sac. These standards do not apply.

M. Street Names and Street Signs. Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for new streets not in alignment with existing streets are subject to approval by the director and the fire chief and shall not unnecessarily duplicate or resemble the name of any existing or platted street in the city. It shall be the responsibility of the land divider to provide street signs.

Finding: The applicant is not impacting street names or streets. This standard does not apply.

N. Platting Standards for Alleys.

- 1. An alley may be required to be dedicated and constructed to provide adequate access for a development, as deemed necessary by the director.**
- 2. The right-of-way width and paving design for alleys shall be not less than 20 feet wide. Slope easements shall be dedicated in accordance with specifications adopted by the city council under NMC 15.505.010 et seq.**
- 3. Where two alleys intersect, 10-foot corner cut-offs shall be provided.**
- 4. Unless otherwise approved by the city engineer where topographical conditions will not reasonably permit, grades shall not exceed 12 percent on alleys, and centerline radii on curves shall be not less than 100 feet.**
- 5. All provisions and requirements with respect to streets identified in this code shall apply to alleys the same in all respects as if the word "street" or "streets" therein appeared as the word "alley" or "alleys" respectively.**

Finding: The applicant is not proposing alleys. These standards do not apply.

O. Platting Standards for Blocks.

- 1. Purpose. Streets and walkways can provide convenient travel within a neighborhood and can serve to connect people and land uses. Large, uninterrupted blocks can serve as a barrier to travel, especially walking and biking. Large blocks also can divide rather than unite neighborhoods. To promote connected neighborhoods and to shorten travel distances, the following minimum standards for block lengths are established.**
- 2. Maximum Block Length and Perimeter. The maximum length and perimeters of blocks in the zones listed below shall be according to the following table. The review body for a subdivision, partition, conditional use permit, or a Type II design review may require installation of streets or walkways as necessary to meet the standards below.**

Zone(s)	Maximum Block Length	Maximum Block Perimeter
R-1	800 feet	2,000 feet
R-2, R-3, RP, I	1,200 feet	3,000 feet

3. Exceptions.

- a. If a public walkway is installed mid-block, the maximum block length and perimeter may be increased by 25 percent.**
- b. Where a proposed street divides a block, one of the resulting blocks may exceed the maximum block length and perimeter standards provided the average block length and perimeter of the two resulting blocks do not exceed these standards.**

- c. Blocks in excess of the above standards are allowed where access controlled streets, street access spacing standards, railroads, steep slopes, wetlands, water bodies, preexisting development, ownership patterns or similar circumstances restrict street and walkway location and design. In these cases, block length and perimeter shall be as small as practical. Where a street cannot be provided because of these circumstances but a public walkway is still feasible, a public walkway shall be provided.*
- d. Institutional campuses located in an R-1 zone may apply the standards for the institutional zone.*
- e. Where a block is in more than one zone, the standards of the majority of land in the proposed block shall apply.*
- f. Where a local street plan, concept master site development plan, or specific plan has been approved for an area, the block standards shall follow those approved in the plan. In approving such a plan, the review body shall follow the block standards listed above to the extent appropriate for the plan area.*

Finding: The applicant is not proposing new streets or blocks. These standards do not apply.

P. Private Streets. *New private streets, as defined in NMC 15.05.030, shall not be created, except as allowed by NMC 15.240.020(L)(2).*

Finding: The applicant is not proposing private streets. This standard does not apply.

Q. Traffic Calming.

- 1. The following roadway design features may be required in new street construction where traffic calming needs are anticipated:**
 - a. Serpentine alignment.*
 - b. Curb extensions.*
 - c. Traffic diverters/circles.*
 - d. Raised medians and landscaping.*
 - e. Other methods shown effective through engineering studies.*
- 2. Traffic-calming measures such as speed humps should be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street constructions.**

Finding: The applicant is not proposing any traffic calming. These standards do not apply.

R. Vehicular Access Standards.

- 1. Purpose.** *The purpose of these standards is to manage vehicle access to maintain traffic flow, safety, roadway capacity, and efficiency. They help to maintain an adequate level of service consistent with the functional classification of the street. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the city. Access is limited and managed on these roads to promote efficient through movement. Local streets and alleys provide access to individual properties. Access is managed*

on these roads to maintain safe maneuvering of vehicles in and out of properties and to allow safe through movements. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function.

2. Access Spacing Standards. Public street intersection and driveway spacing shall follow the standards in Table 15.505.R below. The Oregon Department of Transportation (ODOT) has jurisdiction of some roadways within the Newberg city limits, and ODOT access standards will apply on those roadways.

Table 15.505.R. Access Spacing Standards

Roadway Functional Classification	Area¹	Minimum Public Street Intersection Spacing (Feet)²	Driveway Setback from Intersecting Street³
Expressway	All	Refer to ODOT Access Spacing Standards	NA
Major arterial	Urban CBD	Refer to ODOT Access Spacing Standards	
Minor arterial	Urban CBD	500 200	150 100
Major collector	All	400	150
Minor collector	All	300	100

¹ "Urban" refers to intersections inside the city urban growth boundary outside the central business district (C-3 zone).

"CBD" refers to intersections within the central business district (C-3 zone).

"All" refers to all intersections within the Newberg urban growth boundary.

² Measured centerline to centerline.

³ The setback is based on the higher classification of the intersecting streets. Measured from the curb line of the intersecting street to the beginning of the driveway, excluding flares. If the driveway setback listed above would preclude a lot from having at least one driveway, including shared driveways or driveways on adjoining streets, one driveway is allowed as far from the intersection as possible.

3. Properties with Multiple Frontages. Where a property has frontage on more than one street, access shall be limited to the street with the lesser classification.

4. Driveways. More than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 40 feet of lot frontage separating each driveway approach. More than one driveway is permitted on a lot accessed from a major collector as long as there is at least 100 feet of lot frontage separating each driveway approach.

Finding: Veritas School has existing access to NE Bell Road through a shared driveway on the adjacent North Valley Friends Church properties. The applicant is not proposing to modify the existing driveway. These standards do not apply.

5. Alley Access. *Where a property has frontage on an alley and the only other frontages are on collector or arterial streets, access shall be taken from the alley only. The review body may allow creation of an alley for access to lots that do not otherwise have frontage on a public street provided all of the following are met:*

- a. The review body finds that creating a public street frontage is not feasible.*
- b. The alley access is for no more than six dwellings and no more than six lots.*
- c. The alley has through access to streets on both ends.*
- d. One additional parking space over those otherwise required is provided for each dwelling. Where feasible, this shall be provided as a public use parking space adjacent to the alley.*

Finding: The applicant does not have frontage on an alley and an alley is not proposed. This standard does not apply.

6. Closure of Existing Accesses. *Existing accesses that are not used as part of development or redevelopment of a property shall be closed and replaced with curbing, sidewalks, and landscaping, as appropriate.*

Finding: There are no existing access points to the site that are not part of the existing development. This standard is not applicable.

7. Shared Driveways.

- a. The number of driveways onto arterial streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes. Where there is an abutting developable property, a shared driveway shall be provided as appropriate. When shared driveways are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway temporarily ends at the property line, but may be accessed or extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).*
- b. Access easements (i.e., for the benefit of affected properties) and maintenance agreements shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.*
- c. No more than four lots may access one shared driveway.*
- d. Shared driveways shall be posted as no parking fire lanes where required by the fire marshal.*

e. Where three lots or three dwellings share one driveway, one additional parking space over those otherwise required shall be provided for each dwelling. Where feasible, this shall be provided as a common use parking space adjacent to the driveway.

Finding: The applicant is not proposing new shared driveways. These standards do not apply.

8. Frontage Streets and Alleys. The review body for a partition, subdivision, or design review may require construction of a frontage street to provide access to properties fronting an arterial or collector street.

Finding: The applicant's project is not proposing frontage streets or alleys. This standard does not apply.

9. ODOT or Yamhill County Right-of-Way. Where a property abuts an ODOT or Yamhill County right-of-way, the applicant for any development project shall obtain an access permit from ODOT or Yamhill County.

Finding: The Veritas School site uses an existing driveway access on NE Bell Road which is owned and maintained by Yamhill County. No modifications to the driveway are proposed. This standard is not applicable.

10. Exceptions. The director may allow exceptions to the access standards above in any of the following circumstances:

a. Where existing and planned future development patterns or physical constraints, such as topography, parcel configuration, and similar conditions, prevent access in accordance with the above standards.

b. Where the proposal is to relocate an existing access for existing development, where the relocated access is closer to conformance with the standards above and does not increase the type or volume of access.

c. Where the proposed access results in safer access, less congestion, a better level of service, and more functional circulation, both on street and on site, than access otherwise allowed under these standards.

11. Where an exception is approved, the access shall be as safe and functional as practical in the particular circumstance. The director may require that the applicant submit a traffic study by a registered engineer to show the proposed access meets these criteria.

Finding: The applicant is not proposing any exceptions to the access standards. Standards 10 and 11 do not apply.

S. Public Walkways.

1. Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or where

necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.

- 2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.*
- 3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.*
- 4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.*
- 5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.*
- 6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.*
- 7. Lighting may be required for public walkways in excess of 250 feet in length.*
- 8. The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.*

Finding: The applicant is not proposing public walkways. These standards are not applicable.

T. Street Trees. Street trees shall be provided for all projects subject to Type II design review, partition, or subdivision. Street trees shall be installed in accordance with the provisions of NMC 15.420.010(B)(4).

Finding: The Veritas School site has no public street frontage. Street trees are not required. This standard does not apply.

U. Street Lights. All developments shall include underground electric service, light standards, wiring and lamps for street lights according to the specifications and standards of the Newberg public works design and construction standards. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility as approved by the city. Upon the city's acceptance of the public improvements associated with the development, the street lighting system, exclusive of utility-owned service lines, shall be and become property of the city unless otherwise designated by the city through agreement with a private utility.

Finding: The applicant's plans do not show or address street lighting as the applicant does not own frontage on a public street. This standards is not applicable.

V. Transit Improvements. Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Newberg transportation system plan or adopted local or regional transit plan, shall be required to provide any of the following, as applicable and required by the review authority:

- 1. Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section, "reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.**
- 2. A transit passenger landing pad accessible to disabled persons.**
- 3. An easement of dedication for a passenger shelter or bench if such facility is in an adopted plan.**
- 4. Lighting at the transit facility.**

Finding: The applicant is not proposing transit improvements and the site is not adjacent to existing or planned transit facilities. These standards do not apply.

15.505.040 Public utility standards.

A. Purpose. The purpose of this section is to provide adequate services and facilities appropriate to the scale and type of development.

B. Applicability. This section applies to all development where installation, extension or improvement of water, wastewater, or private utilities is required to serve the development or use of the subject property.

C. General Standards.

1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.

2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.

D. Standards for Water Improvements. All development that has a need for water service shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary wastewater and stormwater facilities, as applicable.

1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping stations which connect to such water service facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

2. Specific location, size and capacity of such facilities will be subject to the approval of the director with reference to the applicable water master plan. All water facilities shall conform with city pressure zones and shall be looped where necessary to provide adequate pressure and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. Installation costs shall remain entirely the developer's responsibility.

3. The design of the water facilities shall take into account provisions for the future extension beyond the development to serve adjacent properties, which, in the judgment of the city, cannot be feasibly served otherwise.

4. Design, construction and material standards shall be as specified by the director for the construction of such public water facilities in the city.

Finding: There is an existing 8-inch water line that serves the existing development; however, the proposed development of a covered playground does not require water service. This standard does not apply.

E. Standards for Wastewater Improvements. All development that has a need for wastewater services shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary water services and stormwater facilities, as applicable.

1. All septic tank systems and on-site sewage systems are prohibited. Existing septic systems must be abandoned or removed in accordance with Yamhill County standards.

2. All properties shall be provided with gravity service to the city wastewater system, except for lots that have unique topographic or other natural features that make gravity wastewater extension impractical as determined by the director. Where gravity service is impractical, the developer shall provide all necessary pumps/lift stations and other improvements, as determined by the director.

3. All developments shall be required to be linked to existing wastewater collection facilities adequately sized to serve their intended area by the construction of wastewater lines which connect to existing adequately sized wastewater facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

4. Specific location, size and capacity of wastewater facilities will be subject to the approval of the director with reference to the applicable wastewater master plan. All wastewater facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. Installation costs shall remain entirely the developer's responsibility.

5. Temporary wastewater service facilities, including pumping stations, will be permitted only if the director approves the temporary facilities, and the developer provides for all facilities that are necessary for transition to permanent facilities.

6. The design of the wastewater facilities shall take into account provisions for the future extension beyond the development to serve upstream properties, which, in the judgment of the city, cannot be feasibly served otherwise.

7. Design, construction and material standards shall be as specified by the director for the construction of such wastewater facilities in the city.

Finding: There is an existing 8-inch wastewater line that serves the existing development; however, the proposed development of a covered playground does not require wastewater service. These standards do not apply.

F. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as provided in the Newberg public works design and construction standards.

Finding: The proposed development of a covered playground shows stormwater from the development discharging across an adjacent property to the west. Because an easement for stormwater conveyance is not shown, the applicant is required to either show a stormwater conveyance easement exists or obtain a stormwater conveyance easement across the property to the west of the development.

The applicant's proposed development is located on a parcel of land that is "land-locked" with no direct access to a public street. All land parcels should have documented access to a public outlet. Because the applicant's materials did not provide information showing a driveway access easement to the parcel, the applicant is required to either show a driveway access easement to NE Bell Road exists or obtain a driveway access easement across the adjacent property.

The standard will be met if the aforementioned conditions of approval are adhered to.

15.505.050 Stormwater system standards.

A. Purpose. The purpose of this section is to provide for the drainage of surface water from all development; to minimize erosion; and to reduce degradation of water quality due to sediments and pollutants in stormwater runoff.

B. Applicability. The provisions of this section apply to all developments subject to site development review or land division review and to the reconstruction or expansion of such developments that increases the flow or changes the point of discharge to the city stormwater system. Additionally, the provisions of this section shall apply to all drainage facilities that impact any public storm drain system, public right-of-way or public easement, including but not limited to off-street parking and loading areas.

C. General Requirement. All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.

Finding: The applicant has submitted a preliminary stormwater report that indicates installation of a new detention basin. Because the applicant has not provided construction plans or a final stormwater report, the applicant is required to provide detailed construction plans and a final stormwater report that addresses requirements outlined in the Public Works Design and Construction Standards prior to issuance of a Building Permit for the covered playground in accordance with NMC 13.25 Stormwater Management. The standard will be met if the aforementioned condition of approval is adhered to.

D. Plan for Stormwater and Erosion Control. No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:

- 1. The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.**
- 2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.**
- 3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.**

Finding: The applicant's plans show building a covered playground. New impervious surface areas will be created and the applicant indicated they would install a detention basin. Because the applicant did not discuss the need for an erosion and sedimentation control permit to construct the proposed covered playground and detention basin, the applicant is required to obtain an erosion and sedimentation control permit at the time of the Building Permit. The criterion will be met if the aforementioned condition of approval is adhered to.

E. Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]

Finding: The applicant's narrative indicates the installation of a new detention to address stormwater requirements for both the existing and new impervious surface area created by the development. Because the applicant has not indicated they intend to provide construction plans and a final stormwater report prior to installing the detention basin, the applicant is required to submit a stormwater report and construction plans meeting the City's Public Works Design and Construction Standards and NMC 13.25 Stormwater Management requirements and install the stormwater system improvements prior to obtaining a Building Permit. Utility designs and alignments will be reviewed as part of the Public Improvement Permit. The criterion will be met if the aforementioned condition of approval is adhered to.

CONCLUSION: Based on the above mentioned findings, the project meets the criteria required within the Newberg Development Code, subject to completion of the attached conditions.

Section III: Conditions of Approval
File DR219-0002
Design Review – Veritas School Covered Playground

A. THE FOLLOWING MUST BE COMPLETED BEFORE THE CITY WILL ISSUE A BUILDING PERMIT:

1. **Permit Submittal:**
 - a. Submit a building permit application and two (2) complete working drawing sets of the proposed project. Show all the features of the plan approved through design review.
 - b. The applicant is required to obtain an erosion and sedimentation control permit at the time of the Building Permit.
2. **Conditions of Approval:** Either write or otherwise permanently affix the conditions of approval contained within this report onto the first page of the plans submitted for building permit review.
3. **Easements:**
 - a. The applicant is required to either show a stormwater conveyance easement exists or obtain a stormwater conveyance easement across the property to the west of the development.
 - b. The applicant is required to either show a driveway access easement to NE Bell Road exists or obtain a driveway access easement across the adjacent property.
4. **Stormwater:**
 - a. The applicant is required to provide detailed construction plans and a final stormwater report that addresses requirements outlined in the Public Works Design and Construction Standards prior to issuance of a Building Permit for the covered playground in accordance with NMC 13.25 Stormwater Management.
 - b. The applicant is required to submit a stormwater report and construction plans meeting the City’s Public Works Design and Construction Standards and NMC 13.25 Stormwater Management requirements and install the stormwater system improvements prior to obtaining a Building Permit. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.

THE FOLLOWING MUST BE ACCOMPLISHED PRIOR TO OCCUPANCY

5. **Fire Department Requirements:** This project is subject to compliance with all Fire Department (TVF&R) standards relating to access and fire protection.

6. **Design Review Conditions:** Contact the Planning Division (503-537-1240) to verify that all design review conditions have been completed.
7. **Site Inspection:** Contact the Building Division (503-537-1240) for Building, Mechanical, Plumbing final, and Planning Complete inspections. Contact the Fire Department (503-537-1260) for Fire Safety final inspections. Contact Yamhill County (503-538-7302) for electrical final inspections.

B. DEVELOPMENT NOTES

1. Systems development charges (SDCs) will be collected when building permits are issued. For questions regarding SDCs please contact the Engineering Services Department.

Attachment 1: Site Plan

